



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: October 5, 2023

TO: Land Use and Zoning Board of Appeals Members

FROM: Tyanna Holmes

SUBJECT: October 12, 2023

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on **Thursday, October 12, 2023 at 5:15 PM at** the Historic Courthouse, 101 South Main Street, Anderson, SC 29624.

The meeting agenda and packet are attached for your review.

Please email tkholmes@andersoncountysc.org or call 864-260-4719 to inform staff whether or not you will be in attendance. This ensures a quorum prior to arrival. Thank you.

Tommy Dunn
Chairman, District 5

John Wright, Jr.
Council District 1

Greg Elgin
Council District 3

Cindy Wilson
Council District 7

ANDERSON COUNTY
SOUTH CAROLINA

Brett Sanders
V. Chairman, District 4

Glenn Davis
Council District 2

Jimmy Davis
Council District 6

Renee D. Watts
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org

Anderson County Board of Zoning Appeals

Hubert McClure, Chair, District #5
John Farr, District #1
Tony Cirelli, District #4
Debbie Chapman, District #7

Mike Miller, Vice-Chair, District #2
Russell Barton, District #3
Brad Swillen, District #6

AGENDA

October 12, 2023

5:15 PM

Historic Courthouse
101 South Main Street
Anderson, South Carolina

- 1.) Call to Order: Mr. Hubert McClure, Chairman
- 2.) Invocation: Mr. Hubert McClure
- 3.) Approval of Minutes:
 - a. August 10, 2023 minutes
 - b. September 14, 2023 minutes (forthcoming)
- 4.) Public Hearing:
 - a. Variance Request to reduce the side and rear setbacks from 50' to 25' located on Big Creek Road/ TMS 248-00-07-038. Council District 7.
 - b. Special Exception request to allow the expansion of an existing auto repair business located at 104 Breazeale Drive/ TMS 221-00-01-003. Council District 7.
- 5.) Old Business:
- 6.) New Business:
- 7.) Other Business:
 - a. Continuing Education Training (Reminder)
- 8.) Adjournment.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
AUGUST 10, 2023

PRESENT:
HUBERT MCCLURE, CHAIRMAN
JOHN FARR
RUSSELL BARTON
TONY CIRELLI
DEBBIE CHAPMAN

ALSO PRESENT:
ALESIA HUNTER
TIM CARTEE
TYANNA HOLMES
BRADEN BANNISTER
CORBAN WILLIAMS

1 HUBERT MCCLURE: Call this
 2 meeting -- I have to hit this little gavel, don't I?
 3 And we are going to go ahead and start the meeting and
 4 call the meeting to order.

5 First we'll have our invocation. Let us pray.

6 **INVOCATION BY HUBERT MCCLURE**

7 HUBERT MCCLURE: All right.
 8 Are there any additions or deletions for the minutes?
 9 May I have a motion for the minutes to be approved?

10 TONY CIRELLI: I motion.

11 HUBERT MCCLURE: Got a motion
 12 by Mr. Cirelli. Second? All those in favor? And they
 13 go through.

14 First on the list is variance request on Old River
 15 Road. This is Council District 7. Staff report.

16 BRAD BURDETTE: All right.
 17 This is an application for variance for 194 Old River
 18 Road. Your applicant is Fiavio Bedolla. Council
 19 District 7. And the tax map number is there for your
 20 reference. The current zoning is unzoned and current
 21 land use is residential.

22 The applicant is requesting a variance to reduce
 23 the sides and rear setbacks from 10 feet to five feet
 24 to complete the construction of a metal storage
 25 building.

26 Finding of facts: Anderson County Code of
 27 Ordinances under Chapter 24, Section 24-432, the
 28 minimum width of a residential side yard shall be 10
 29 percent of the total lot width or 10 feet, whichever is
 30 greater. But not to exceed 25 feet. The minimum width
 31 of a non-residential side yard shall be 25 feet and
 32 measured from the property line.

33 This is a sketch of the layout of the property.
 34 Along with the plat of the property. This is your
 35 aerial view of the property.

36 Staff recommendation is for approval for the
 37 following reasons. The lot is a non-conforming parcel
 38 and the proposed addition will not meet the previous
 39 setback with the new property line. The applicant has
 40 demonstrated a hardship for said request, and there
 41 will be no adverse effects on adjacent properties if
 42 the variance is granted. The board has granted other
 43 variances similar to this request, and will be
 44 consistent with its approval. A building permit will
 45 be required from Building and Codes and a compliance
 46 letter from Development Standards, with the revision of
 47 the side and rear setbacks to five feet.

48 This is your staff report.

49 HUBERT MCCLURE: Thank you,
 50 staff. So at this time we'll open up a public hearing.

1 And we will ask if there's anyone here speaking against
2 Old River Road. Anyone speaking against Old River
3 Road? Okay. No one speaking against, so we will close
4 the public hearing and reserve questions or comments
5 for staff or Mr. -- I can't tell from the first name --
6 Bedolla, Mr. or Mrs. Bedolla?

7 Any questions for staff from the board?

8 What's the feeling of the staff (verbatim).

9 JOHN FARR: Approve.

10 HUBERT MCCLURE: We have a
11 motion from Mr. Farr to approve. Do we have a second?

12 RUSSELL BARTON: Second.

13 HUBERT MCCLURE: Second. All
14 those in favor show by uplifted hand. And did you
15 vote?

16 DEBBIE CHAPMAN: I voted
17 against.

18 HUBERT MCCLURE: One opposed.

19 Do you want to state your opposition, just your
20 name?

21 DEBBIE CHAPMAN: My name is
22 Debbie Chapman. I'm -- I don't really care too much
23 for reductions like that.

24 HUBERT MCCLURE: All right.
25 Thank you. And we usually look to the conformity of
26 the lot and things like that. And usually, I'll be
27 honest with you, as chairman, I don't have a problem
28 with a setback as long as we don't get too close to
29 zero setback. Zero, you know, you can get a person or
30 two or three people like from the fire department
31 through there or whatever, then good. Usually we don't
32 have a problem with it. But it's when we start getting
33 into that zero setback, uh-uh (negative). Down toward
34 that we don't fool with. But thank you.

35 All right. Next this is Hix Road, Michael Schwab.
36 Staff report.

37 BRADEN BANNISTER: This is a
38 request for a variance at 5640 Hix Road. The applicant
39 is Michael Schwab. And the Council District is
40 District 4. The tax map number is there for your
41 reference. And the current zoning is R20. Current
42 land use is residential.

43 Applicant is requesting a variance to reduce the
44 side setback from 20 feet to 10 feet to complete the
45 construction of a garage.

46 Finding of facts: Anderson County Code of
47 Ordinances under Chapter 48, Section 5.3 number 3, the
48 minimum width of a residential side yard to be 10
49 percent of the total lot width or 10 feet, whichever is
50 greater, but not to exceed 25 feet. The minimum width

1 of a non-residential side yard shall be 25 feet
2 measured from the property line. This is going to be a
3 sketch of the layout of the property, along with your
4 plat of the property. This is the aerial view of the
5 property in question. And this is your zoning for the
6 property in question.

7 Staff recommendation is for approval. The lot is
8 a non-conforming parcel and the proposed addition will
9 not meet the previous setback with the new property
10 lines. The applicant has demonstrated a hardship for
11 said request. There will be no adverse effects on
12 adjacent properties if the variance is granted. The
13 board has granted other variances similar to this
14 request and will be consistent with its approval. A
15 building permit will be required from Building and
16 Codes, and a compliance letter from Development
17 Standards with the revision of the side setback to 10
18 feet.

19 This is your staff report.

20 HUBERT MCCLURE: Thank you,
21 staff. So at this time we'll open up the public
22 hearing for the special exception if there's anyone
23 here speaking against? Anyone speaking against?

24 So, since there's no one speaking against, we'll
25 close the public hearing. We'll leave questions for
26 staff or Mr. Schwab. He is here. He is signed up if
27 y'all have any questions or comments. Any questions
28 for staff or Mr. Schwab from the board?

29 You're Mr. Schwab? Step up to the microphone so
30 that they can hear you. State your name.

31 MICHAEL SCHWAB: I'm Michael
32 Schwab. I'm the owner of 5640 Hix Road. The setback
33 is currently at 10 feet. My request is to go down to
34 five feet. Not from 20 to 10, but from 10 to five.

35 HUBERT MCCLURE: Okay, staff,
36 why is that? Is that correct?

37 TIM CARTEE: Could be a
38 typo, Mr. Chairman, on that.

39 HUBERT MCCLURE: Okay. All
40 right. Is that it?

41 MICHAEL SCHWAB: That's it.
42 Thank you.

43 HUBERT MCCLURE: Okay. What's
44 the feeling of the board?

45 TONY CIRELLI: This is in my
46 district, and I really don't have a problem. There are
47 so many old lots out there around the lake that are 50
48 feet wide. It's hard to build an addition to a garage
49 or addition to a house. So with that, as long as he's
50 got five foot, just like a lot of subdivisions, they

1 have five foot either side of the property line, total
2 of 10 foot easement, I don't have any problem.

3 HUBERT MCCLURE: So you want
4 to make a motion?

5 TONY CIRELLI: Recommend
6 approval.

7 HUBERT MCCLURE: Okay. We
8 have a motion from Mr. Cirelli. Do we have a second?

9 JOHN FARR: Second.

10 HUBERT MCCLURE: Second by Mr.
11 Farr. All those in favor show by uplifted hand. And
12 ---

13 DEBBIE CHAPMAN: I don't agree
14 with this one because it's a narrow lot; more narrow
15 than the other one.

16 HUBERT MCCLURE: All right.
17 Okay, so that passes.

18 All right. Next is -- I believe this is Mt.
19 Pisgah Church in Easley, 101 Pisgah Road. Staff
20 report.

21 BRADEN BANNISTER: Yes. This is
22 a special exception for 101 Pisgah Road. The applicant
23 is going to be Mt. Pisgah Baptist Church. This is in
24 Council District 4. And the tax map number is there
25 for your reference. Current zoning is RA, which is
26 residential agriculture and the current land use is a
27 church.

28 Applicant is requesting a special exception to
29 construct a building for children's church services and
30 a nursery.

31 Finding of facts: Anderson County Code of
32 Ordinances under Chapter 48, Section 7.5, a church may
33 be permitted in all districts subject to the
34 requirements of the district and the following
35 requirements. The minimum lot area shall be 40,000
36 square feet and all buildings shall be set back from
37 the front, side and rear property lines a minimum of 50
38 feet. Off-street parking shall be provided in
39 accordance with the provisions set forth in section
40 6.9.

41 This is your site plan of the property. And this
42 is the aerial of the property in question. This is
43 your zoning map showing RA.

44 TONY CIRELLI: Go back one.
45 BRADEN BANNISTER: Go back one?
46 TONY CIRELLI: Okay. I'm
47 oriented. Thank you.

48 BRADEN BANNISTER: Staff
49 recommendation is for approval for the following
50 reasons. The use is not detrimental to the public

1 health or general welfare. The church is already
 2 established and this is an expansion of the existing
 3 church. The use will not violate neighborhood
 4 characteristics nor adversely affect surrounding land
 5 uses. The board has granted other special exceptions
 6 similar to this request and will be consistent with its
 7 approval. All additional permitting and requirements
 8 must be met as in the previous special exception. If
 9 approved, a land use permit and building permits must
 10 be obtained.

11 This is your staff report.

12 HUBERT MCCLURE: Thank you,
 13 staff. So at this time we will ask if there's anyone
 14 speaking against? Anyone speaking against Mt. Pisgah
 15 Baptist Church? Anyone speaking against? Okay,
 16 there's no one speaking against. So at this time we'll
 17 close the public hearing for anyone who's got a
 18 question for staff or Mt. Pisgah Baptist Church. We
 19 will leave those questions or comments open. Anybody
 20 ---

21 TONY CIRELLI: Mr. Chairman,
 22 I've got a question.

23 HUBERT MCCLURE: Yes.

24 TONY CIRELLI: Out there,
 25 they're going to expand more -- add more parking?

26 HUBERT MCCLURE: It's for the
 27 building -- you're talking about the parking or the
 28 building? They're building a ---

29 TONY CIRELLI: You're going
 30 to have to have parking for the expansion.

31 TIM CARTEE: Mr. Chairman,
 32 it's kind of hard to see on the layouts up there. But
 33 what they're doing is right in front of the new
 34 sanctuary, they're adding a -- like a foyer. And then
 35 the old church building on there, that's the area that
 36 they're going to remodel or demo. And that's where
 37 they're going to have this new expansion.

38 TONY CIRELLI: The footprint
 39 is almost the same?

40 TIM CARTEE: Footprint is
 41 the same so they won't be expanding ---

42 TONY CIRELLI: I've got no
 43 problem with that. I understand what you're doing.

44 HUBERT MCCLURE: Okay, any
 45 other questions or comments from the board? All right,
 46 what's the feeling of the board?

47 DEBBIE CHAPMAN: Motion to
 48 approve.

49 HUBERT MCCLURE: We have a
 50 motion to approve. I'll second it. All those in favor

1 show by uplifted hand. And that passes.

2 Okay, next, moving along, this is Edgewater Way,
3 Liberty Highway, Jamie McCutchen. Staff report.

4 BRAD BURDETTE: This is a
5 special exception for Edgewater Way and Liberty
6 Highway. Your applicant is Jamie McCutchen. The owner
7 of property is JPB Storage, LLC. This is in Council
8 District 1. And the tax map numbers are there for your
9 reference. The current zoning is C2 and current land
10 use is highway commercial and vacant.

11 Applicant request is requesting a special
12 exception to allow the construction and use of mini
13 warehouses in C2 zoning district.

14 Finding of facts: Anderson County Code of
15 Ordinances under Chapter 24, section 7-16, mini
16 warehouses. Mini warehouses may be permitted in the C2
17 highway commercial district subject to the requirements
18 of the C2 district and the following requirements.

19 Where sites abut residentially zoned property,
20 buildings adjacent to the perimeter must face inward
21 with their doors oriented to the interior of the site.
22 The facility shall not be utilized for the manufacture
23 or sale of any commercial commodity or the provision of
24 any service such as commercial repair of automobiles,
25 boats, motors or other items. The facility shall not
26 be utilized for the storage of flammable chemical
27 substances.

28 This is a layout of the property. This is your
29 aerial of the property in question. This is your
30 zoning map showing C2.

31 And staff recommendation is for approval for the
32 following reasons. The use meets all the requirements
33 in Section 5 17.2, use is permitted by special
34 exception. The new construction will meet all the
35 requirements for C2 zoning. The use is not detrimental
36 to public health or general welfare. The use will not
37 violate the neighborhood character nor adversely
38 affects surrounding properties. Applicant must meet
39 all tax, fire and building and code requirements
40 pertaining to the commercial structure and obtain all
41 necessary permits from Building and Codes and
42 compliances from Development Standards.

43 This is your staff report.

44 HUBERT MCCLURE: Okay, staff.
45 I do have a question right quick because I'm a west
46 Andersoner and -- Andersonian, whatever you want to
47 call it -- Liberty Highway is a very long highway.
48 Whereabouts is this? Give me -- I mean is it near the
49 interstate? Is it past Five Forks? Where is it?

50 BRADEN BANNISTER: Where 28 and

1 Liberty Highway come together right between the bridge
2 at that intersection.

3 TONY CIRELLI: Across from
4 that daycare.

5 HUBERT MCCLURE: Okay, well,
6 it's kind of hard to see that because -- y'all gave us
7 a tax map but it doesn't -- I mean I can't see any
8 other intersections. That's why I was wondering.
9 Thank you.

10 All right. We are -- we do have a couple of
11 people. I don't know if they're speaking for or
12 against. So we'll go ahead and address that now.

13 So we'll open up the public hearing. And I can't
14 read the writing. I see a Mathias, so I'll just go
15 with that. If you will address the microphone and
16 state your name and address.

17 MATHIAS LELOECK: Mathias
18 Leloeck, 603 Fontainebleau Boulevard.

19 HUBERT MCCLURE: Speaking into
20 it, I can't hardly hear you.

21 MATHIAS LELOECK: Mathias
22 LeLoeck, 603 Fontainebleau Boulevard.

23 HUBERT MCCLURE: Okay.

24 MAHIAS LELOECK: And my family
25 owns the mini warehouse that's right across from
26 Edgewater Way. You couldn't see it on the map. But
27 it's basically towards the bridge as you leave
28 Anderson.

29 And the two concerns I want to raise is first, new
30 construction of storage would probably be better across
31 the interstate, where all the new developments,
32 residential construction is happening. Otherwise, you
33 just create additional traffic on Liberty Highway.

34 And the second one, I saw that the facility will
35 be accessed from Edgewater Way; not directly from
36 Liberty. And so that road is difficult to get in and
37 out of. Because it's on a hill and then getting out
38 onto Liberty Highway when cars are flying by all day,
39 it's difficult going into town. Going out of town not
40 so much but going towards Anderson, that is not easy at
41 times. And so this would add additional traffic so the
42 neighbors would probably be affected the most.

43 HUBERT MCCLURE: Okay.

44 MATHIAS LELOECK: And it
45 affects our property obviously because it's direct
46 competition.

47 HUBERT MCCLURE: Okay, thank
48 you, sir.

49 Staff, I have a question following up on that. Is
50 any kind of DOT permits on this or what? Have they

1 approved it or -- I just want to verify.

2 ALESIA HUNTER: So they will

3 have to get an encroachment permit in order to ---

4 HUBERT MCCLURE: So it will

5 have to be approved by DOT?

6 ALESIA HUNTER: Yes, it

7 will.

8 HUBERT MCCLURE: Okay, well,

9 that takes care of the traffic. Okay, they will have

10 to approve it. So it could be knocked down after we do

11 whatever we do here. So I don't know what we're going

12 to do. But thank you for bringing up the traffic part.

13 Next thing, I see, Cannon, Mason Cannon, if you

14 would address the microphone, please, and state your

15 address and what your feelings are. Appreciate it.

16 MASON CANNON: I'm Mason Cannon.

17 I live at 4308 Edgewater Way, so at the end of the cul

18 de sac.

19 And as already said, the concern is traffic. I

20 mean, that's really the biggest concern. I understand

21 that I can't control what they're going to do with the

22 lot at the end of the street. Completely understand

23 that. Really don't have that big of a problem with it

24 being self storage because there's not going to be that

25 much going on there. But they -- there's no way that

26 road can support the additional traffic. So -- and I

27 know you said SCDOT is going to be who approves that.

28 The other thing I had, is there any sort of like

29 zoning stipulations available for review for like the

30 fencing, lighting? Also, how are they going to handle

31 runoff into the lake because I bought the lake

32 property; I pay y'all a lot of money in taxes, and I

33 don't want my lake property ---

34 HUBERT MCCLURE: I can tell

35 you right now that's going to be monitored -- that's

36 going to be monitored with a fine tooth comb, both of

37 them.

38 MASON CANNON: Okay.

39 HUBERT MCCLURE: As far as the

40 buffer yard and everything like that, as well as the

41 drainage.

42 MASON CANNON: Can we go

43 back to the set of plans? I don't see on here -- I

44 mean, unless they're planning at the bottom right

45 there, that's the low -- the bottom of the page that is

46 the lowest portion. Unless that entire portion is

47 going to be a retaining pond the rest of it's going in

48 the lake.

49 HUBERT MCCLURE: Can you

50 address that, staff?

1 ALESIA HUNTER: Our
2 Stormwater Department will review our stormwater and it
3 will have to be permitted through DHEC, as well. So
4 they do a rigorous review of this to make certain ---
5 HUBERT MCCLURE: Anything
6 going in that lake is going to have to be ---
7 ALESIA HUNTER: Yes.
8 HUBERT MCCLURE: It's going be
9 a fine tooth comb. But not us.
10 MASON CANNON: Yeah. And
11 then I guess the other thing, it -- will we be able --
12 what's the law for whenever you have commercial -- I
13 mean, I don't know if you know the answer off the top
14 of your head, commercial touching residential property?
15 It doesn't have to be a fence, a physical fence ---
16 ALESIA HUNTER: There will
17 be a buffer, there'll be a buffer yard that will be
18 installed during the permitting process.
19 HUBERT MCCLURE: And it has
20 to be, has to be before they even have access to it.
21 In other words, they cannot use the -- if the facility
22 is finished, they cannot use it until they finish the
23 buffer yard and the DHEC permits and the DOT, all that.
24 So any one of those entities could chop it off right
25 quick.
26 MASON CANNON: Okay.
27 HUBERT MCCLURE: We're just
28 doing the land use part.
29 MASON CANNON: Land use
30 part. That's what I figured.
31 HUBERT MCCLURE: Yes, sir.
32 Okay, thank you.
33 DEBBIE CHAPMAN: Those were
34 great questions.
35 HUBERT MCCLURE: Yeah, good
36 questions.
37 **INAUDIBLE COMMENT FROM AUDIENCE**
38 HUBERT MCCLURE: Yes, sir. Go
39 right ahead. Since you were signed up.
40 MATHIAS LELOECK: One thing
41 that's very unfortunate, right in this location is it
42 backs up to woods, just like ours, that attracts
43 burglars, thieves. Once a year, twice a year, somebody
44 comes up from the lake, or from Edgewater Way, cuts a
45 hole in the fence and breaks into units and stuff like
46 that. So that will adversely affect the neighbors for
47 sure.
48 HUBERT MCCLURE: Wow. Okay.
49 MATHIAS LELOECK: Yeah, that's
50 a very unfortunate part of this business. But it's

1 everywhere.

2 HUBERT MCCLURE: Well, that's,
3 that's something that we're all having to deal with.
4 I'm having to deal with that just on a farm. I mean, I
5 mean, we're all having to deal with that. So I agree.
6 So is there any kind of -- along with the buffer
7 yard on the lighting, would the lighting be -- what
8 kind of lighting restrictions or whatever.

9 ALESIA HUNTER: I'm certain
10 that they'll have a security lighting out there to make
11 sure that the facility is secured. As far as somebody
12 breaking in like you just mentioned, we don't have any
13 control of that.

14 MATHIAS LELOECK: Okay.
15 HUBERT MCCLURE: Well, thank
16 you for your concerns, though. And I've even put
17 cameras on my barn. I mean, I mean, you have to. But
18 anyway.

19 Okay. Anymore concerns? I don't, I don't know if
20 DeRosa. Taylor DeRosa is here for any questions for
21 that. She's here, if anybody's got any questions for
22 staff or Ms. DeRosa. We'll close the public hearing.
23 And if we have any questions, Ms. DeRosa, we'll let you
24 know. And is there any questions for staff or Ms.
25 DeRosa at this time?

26 Okay, what's the feeling of the board?

27 TONY CIRELLI: I don't see
28 any onsite detention on the site plan. Is it going to
29 be part of another project?

30 HUBERT MCCLURE: I'm sorry,
31 say again, Mr. Cirelli.

32 TONY CIRELLI: I don't see
33 any onsite detention.

34 HUBERT MCCLURE: That's going
35 to be done by the Stormwater, she said.

36 ALESIA HUNTER: That's not
37 required at this time.

38 HUBERT MCCLURE: Yeah, that's
39 for the Stormwater.

40 ALESIA HUNTER: That's for
41 Stormwater.

42 HUBERT MCCLURE: You're
43 thinking along the Planning Commission.

44 ALESIA HUNTER: We don't
45 need that at this, at this moment.

46 HUBERT MCCLURE: No, that's,
47 that's for later.

48 TONY CIRELLI: I'm good.
49 HUBERT MCCLURE: All right,
50 what's the feeling of the board? I'll go ahead and

1 make a motion to approve. Because there's several,
2 there are several more gamuts for this to go through.
3 And if there's any -- anything else, it could be
4 chopped off at any time with those other entities. So
5 I'm going to make a motion to approve.

6 RUSSELL BARTON: I'll second.
7 HUBERT MCCLURE: Second. All
8 those in favor show by uplifted hand. And all
9 approved. Thank you.

10 All right. I think the last one on the agenda we
11 are revisiting because of a little bit of confusion,
12 which is normal with these. So yes, this is -- hold on
13 a minute. Do I have the right -- did I get mine? I
14 think I got mine. This is -- yeah, I got them mixed
15 up. Okay. I'm sorry. This is DeRosa. I'm sorry.
16 Okay, so we'll go ahead and open this up for 4600 Pine
17 Needle, DeRosa, Taylor DeRosa applicant. Go ahead.
18 Staff report. Sorry about that.

19 ALESIA HUNTER: Thank you,
20 Mr. Chair. As we mentioned, there was some confusion
21 at the last meeting due to some conversations about the
22 county trying to enact and adopt some new guidelines on
23 Airbnb that -- they are looking into that, but there's
24 been some state legislative information that's required
25 us just to kind of put that on hold to get through that
26 particular committee. So with that said, the zoned
27 areas, we do currently have regulations on zoned areas.
28 So this is what we're here -- to rehear that based upon
29 the Chapter 70 zoning ordinance standards that does
30 regulate the bed and breakfast, Airbnb, host home,
31 whatever you want -- would like to call it.

32 But it's located again at 4600 Pine Needle Circle.
33 The applicant is there for your reference. It's the
34 same property owner. 4600. This is in Council
35 District 4. Here's the tax map number for your
36 reference. And this is the lots 12A, 13 and 28A there.
37 It's zoned R20 which is residential single family.
38 Again, this is a special exception to allow for the use
39 of a residence as a short term rental/rental home.
40 This comes out of our findings of fact, out of our
41 chapter -- should be Chapter 48. Now we did have an
42 amendment to the Code of Ordinances, but the section to
43 establish the permitted use is a special exception for
44 bed and breakfast.

45 Here is the actual zoning. The parcel here, you
46 can see the parcel in red here. This is zoned R20 and
47 surrounded by R20. Here's the aerial map that shows
48 the location so you can see what's surrounding the
49 property.

50 Staff recommends approval for the special

1 exception for the following reasons: This does meet
2 the section that's highlighted in special exception
3 572. It does meet the requirements in R20. And it
4 does give us specifications in terms of the spacing for
5 the actual unit from another Airbnb. It did meet the
6 1500 square foot distance requirements between another
7 bed and breakfast, which there's not one there. It is
8 not detrimental to the public health or general
9 welfare. It doesn't violate any of the neighborhood
10 characteristics there. Of course, as always, they do
11 have to meet all the fire codes, building codes, land
12 use, all the necessary permits from our office as well.
13 And this -- if this is granted, this will be keeping in
14 line with what the board has previously done on some of
15 the -- of R20 that has been previously approved. There
16 are no covenants or restrictions in this particular
17 application. We have had some they have been
18 restricted from having Airbnb. This particular one
19 does not. So this is why we're here to actually rehear
20 this application. So we do recommend approval, Mr.
21 Chairman.

22 HUBERT MCCLURE: And I would
23 like to reiterate on that, that in the past we have
24 when it was a structure by itself, not part of a
25 subdivision, we have been, and no restrictions. But I
26 think there was a little bit of confusion.

27 ALESIA HUNTER: Yes, sir.

28 HUBERT MCCLURE: Now, I do
29 have one question while you're doing the staff report.
30 I don't know if you're finished or not.

31 ALESIA HUNTER: Yes, sir.

32 HUBERT MCCLURE: Okay. You
33 finished?

34 ALESIA HUNTER: Yes, sir.

35 HUBERT MCCLURE: What about
36 the traffic? Is there any problem with traffic?

37 ALESIA HUNTER: No, there's
38 there's not a problem with traffic on this road here.

39 HUBERT MCCLURE: Okay. All
40 right. So we will open the public hearing. And I
41 will, I will say again that there's two types of bed
42 and breakfasts that we are listening to, and that's why
43 I'm saying it again so nobody will be confused. There
44 is a bed and breakfast that is applied for that's
45 within a subdivision. Okay, everybody with me? That's
46 the one that we thought this was. Okay. That's the
47 one that we always have a problem with because the
48 subdivision has their own restrictions and covenants.
49 This is not. This is one that is not a part of a
50 subdivision. We thought it was.

1 Okay. So we will go ahead and proceed with --
2 it's one of those two, and this is the latter.

3 All right. So we will open up the public hearing.
4 And since we do have quite a few people, I think we've
5 got five or six, I will go through my spiel of please
6 stay to the facts. Be brief. None of this he said,
7 she said. None of this grandmother's son in law's
8 brother's sister stuff said this. We don't need any of
9 that. Okay? So I appreciate if we could, you know, be
10 professional. And I appreciate that. Thank you.

11 TONY CIRELLI: We don't
12 want anybody to be repetitious.

13 HUBERT MCCLURE: Yeah, we
14 don't need the repetitious thing either. So state
15 briefly if you're for or against. That's fine. You
16 know, we don't mind that. We just -- we want to keep
17 it professional and want to keep it, you know, brief.

18 All right. First of all, I've got on the list
19 here Mr. William Harris. If you would address your
20 name and your address.

21 WILLIAM HARRIS: My name is
22 William Harris. I live at 136 Gareloch Lane. We're
23 part of the Gambrell Point Homeowners Association,
24 which is adjacent to Pine Needle Circle. Pine Needle
25 Circle is the only entrance and only egress that our
26 entire subdivision has. So we are very concerned about
27 traffic.

28 Our president who is in attendance and a number of
29 our members are also here in attendance. The issues
30 the GPHOA opposes the granting of this special
31 exemption, the property is zoned residential. We
32 believe there's an increased risk to security due to
33 transient people in the area. Transitioning Pine
34 Needle Circle, a little more than a lane, will be more
35 restrictive and dangerous. So the question of
36 detrimental -- your team came up and said it's not
37 detrimental to the neighborhood or to the character of
38 the neighborhood. It absolutely changes the
39 neighborhood.

40 HUBERT MCCLURE: How would you
41 say it changes? And I'm just asking.

42 WILLIAM HARRIS: It's only,
43 it's only a lane. It's hardly 12 or 14 feet wide. And
44 additional traffic is going to be difficult for the
45 people -- as I said it's the only entrance and egress
46 we have to our development. So if you throw in more
47 cars, whether they're parking actually on the property
48 or around the property, it could be difficult for us to
49 come and go.

50 HUBERT MCCLURE: Okay. I've

1 got a question for staff at this point. How big of a
2 house are we talking about?

3 ALESIA HUNTER: I don't know
4 what the size -- the square footage of the house is,
5 but ---

6 HUBERT MCCLURE: Ms. DeRosa,
7 how big of a house are we talking about? Oh, I thought
8 she was. I'm sorry. Who is -- nobody here for DeRosa?
9 Okay. I was just kind of wondering, does anybody have
10 that information, staff? Okay. Go ahead.

11 WILLIAM HARRIS: Approving this
12 special exemption would be a -- would set a precedent
13 for future homeowners on Pine Needle to seek the
14 exemption both as well. Not only in Pine Needle but
15 also in our subdivision as well. We are a prime
16 tourist area with access to Lake Hartwell waterfront,
17 Clemson University, Portman Marina, Green Pond Landing,
18 all of which would attract short term renters. We are
19 concerned that other homes on that tiny little circle
20 would follow suit, and cause even more difficulty for
21 us at the Gambrell Point Homeowners Association. The
22 impact to us is that it curtails homeowners'
23 expectations of living in a residential community.
24 It's not -- this as a commercial -- would become a
25 commercial property, less overall security both day and
26 night, less safe and effective transit over Pine Needle
27 Circle, opens the door to others seeking special
28 exemptions, negative impact to our property values and
29 the saleability of our homes in the Gambrell Point
30 Homeowners Association.

31 The bottom line is, how would you like to have a
32 short term rental property next to your house?

33 HUBERT MCCLURE: Thank you,
34 Mr. Harris.

35 Okay, next we have Mr. Jenkins, Jack Jenkins, if
36 you could state your name and your address, please.

37 JACK JENKINS: I'm Jack --
38 excuse me. I'm Jack Jenkins, I live at 134 Gareloch
39 Lane.

40 With short term rentals, we're concerned of
41 safety, vandalism, the roads are real narrow. People
42 are parking on the side of the roads now. You won't go
43 in there and pass a car on those roads. You have to
44 stop and pull over on the shoulder. So it's going to
45 increase more and more, especially for renting to
46 people that have boats, they're going to have to be
47 coming in and out. So it's -- it could cause a problem
48 down there. Getting in, I would recommend that some of
49 you ride out there and look at it. It's a pretty big
50 deal.

1 So that's pretty well what I got. What I wanted
2 to say. Bill covered most of it.

3 HUBERT MCCLURE: Thank you,
4 sir.

5 RUSSELL BARTON: Mr.
6 Chairman.

7 HUBERT MCCLURE: Go ahead.
8 RUSSELL BARTON: Could we put
9 the aerial back up, please?

10 WILLIAM HARRIS: Just an
11 addendum real quickly. If emergency vehicles needed to
12 come in, and we had excess traffic on Pine Needle, the
13 fire trucks and larger vehicles would have a difficult
14 time making it back to our development because Pine
15 Needle could be crowded.

16 HUBERT MCCLURE: Okay, thank
17 you. Okay, next is Ms. Karen Beck.

18 KAREN BECK: I'm Karen
19 Beck. I live at 4653 Pine Needles Circle. If you look
20 on your aerial, I'm the big piece of property that's
21 right across the street from this property. I've lived
22 there for 35 years. I'd like to stay there 35 more.
23 But everything that everybody said is very true. It's
24 a one lane road. It's not a two lane road. You meet
25 somebody, you have to get over on the side of the road.
26 So increased traffic would be a concern. Also
27 increased people that are not from the neighborhood
28 coming in and out would be another concern and a safety
29 concern.

30 So those are, again, my two things, but I've got
31 five acres across the street from it. And I'm directly
32 in front of it. So that's me.

33 HUBERT MCCLURE: Okay. Staff,
34 I've got a question.

35 ALESIA HUNTER: Yes, sir.
36 HUBERT MCCLURE: We're talking
37 -- and I'm asking this because I can't see on the birds
38 eye view here. But it looks like inside -- I'm going
39 to call it the little island inside the road. Okay.
40 How many houses do we have there? I see 1, 2, 3, 4, 5,
41 6, 7, 8, 9, 10, 11 -- 11 lots inside the road. Am I
42 wrong or right? Is there 11 houses there or 10 houses
43 or how many houses?

44 TIM CARTEE: I'd say that's
45 approximate about right.

46 HUBERT MCCLURE: Okay. And
47 then you've got 1, 2, 3, 4, 5, 6, and then I'm going to
48 count the big lots, 7, 8, 9, 10. So you've got 10 and
49 10. We've got 20 pieces of property around this road.
50 Correct? Is that basically what everybody sees? Okay.

1 UNKNOWN MALE: Sir, what's
2 not shown is that the adjacent -- our development
3 adjacent has 20 properties that the only (inaudible).
4 HUBERT MCCLURE: So there's
5 another 20 houses?
6 UNKNOWN MALE: Another 20
7 houses.
8 HUBERT MCCLURE: So you're
9 talking about 40 houses on one road?
10 ALESIA HUNTER: Yeah.
11 HUBERT MCCLURE: Okay. The
12 reason I'm saying that is because, I mean, we are
13 talking about one lot out of 20 -- out of 40. You just
14 said there's 40. So it's -- I mean, I'm just saying,
15 it sounds like to me that I believe the state highway
16 department needs to be called into this if there's a
17 problem with the traffic there. I don't think one
18 house with two or three people in it is going to make
19 much of a difference. I mean, I'm just saying that. I
20 mean, I don't know. Would you agree that there's 40
21 houses on that road?
22 UNKNOWN MALE: Houses that
23 access that road coming and going out to Hix Road,
24 which is the main road.
25 HUBERT MCCLURE: Is that a
26 county road? I don't know this. Is that a county
27 road?
28 UNKNOWN MALE: Yes, it is.
29 HUBERT MCCLURE: Leave it to
30 me, we need to take it up with the county. I mean,
31 anyway.
32 Next Ms. Ann Kellett. I hope I didn't pronounce
33 that wrong. Go ahead.
34 ANN KELLETT: I live at 4657
35 Pine Needle Circle. I'm directly across from the
36 house. Right below her house.
37 And my concern is traffic, the grading on the
38 neighborhood bringing in a lot of different people all
39 the time constantly coming in and out of the property.
40 And we are a one way and one way out property. There
41 -- it's just very concerning that it's going to degrade
42 the value of our properties. Because people aren't
43 going to want to buy directly across from an Airbnb,
44 they're just not. You wouldn't. I don't want to be
45 there with that. You're going to have a lot of people
46 that -- we don't have -- the traffic that we have are
47 people that live in the community. We're a very
48 secluded little community, a quiet, peaceful little
49 place. And you know as well as I do, when people go on
50 vacation, they leave their common sense at home. They

1 just do. And they're going to be down snuggled into
2 our little area, and they're going to just -- it's
3 going to be a problem. I can promise you it will be a
4 problem.

5 HUBERT MCCLURE: Okay, thank
6 you, ma'am.

7 ANN KELLETT: And we just
8 don't want it.

9 HUBERT MCCLURE: Thank you,
10 ma'am. And the last one we have and I want to say
11 Webbenhurst, but I don't want to say that, so I'll say
12 Ms. Joanne. How about that? That's what I do with my
13 students. I'll just say Ms. Joanne.

14 JOANNE WEBBENHURST: Hi, I'm Ms.
15 Joanne, Joanne Webbenhurst, and I live at 152 Gareloch
16 Lane.

17 And I did give you guys a list of names last time
18 this came up, and I still have a copy of that if you
19 need another one, of the people who requested this not
20 happen. I do agree with what people have pointed out.
21 And as far as the traffic in there, we have a lot of
22 homes in there. I don't know if you guys have
23 teenagers or been through that teenagers where there's
24 four cars for every home. So it's not quite as
25 straightforward as saying 40 homes, because there are a
26 lot of cars going in and out.

27 And again, the part about the one lane is that the
28 shoulders have eroded on that road, and there's eight
29 inch drops in places. We had a tree in that last storm
30 and there -- it -- you had -- I have an SUV. And to
31 get around it, I had to go off that eight inch drop and
32 I actually rubbed the bottom of my car. I mean it is a
33 big drop. So it does present a safety issue. And then
34 at the bottom of this map up there, there's a very
35 sharp turn in there. And it's -- again, it's narrow
36 and it's a culvert and a deep dip. So it's not just
37 the numbers of cars in there. It's the quality of the
38 road. And so I do feel it would be a problem.

39 And we do have this homeowners association and
40 group that is not pictured in here. But I would say
41 that I feel and I know that others feel that we're part
42 of this entire neighborhood. And if I didn't feel that
43 way, I wouldn't be the person that walks it picking up
44 trash. And if we have people in there, unfortunately,
45 some people in there I don't know who they are, throw
46 trash out. And if you have people who really are just
47 coming in and out, I fear that that's even going to get
48 worse. And you know, I mean, I get steam coming out my
49 ears because, you know, you pick it up one day and then
50 you start seeing the stuff again. So I do think it's

1 going to impact the quality of our neighborhood. It's
2 not going to get better. And you know, we bought our
3 properties believing that it was zoned a certain way
4 and that we wouldn't have this.

5 So respectfully, I mean, I hope that this is, you
6 know, not approved. So thank you.

7 HUBERT MCCLURE: Thank you.
8 Is anyone speaking for the bed and breakfast? Anybody
9 speaking -- it says Taylor DeRosa. Anybody speaking
10 for?

11 Okay, at this time, since there's nobody speaking
12 for, I'm going to close the public hearing. We'll
13 reserve the questions for staff at this time.

14 First of all, as Chairman I'd like to say that
15 this is a damned if you do, damned if you don't
16 approval. This is, you know, we're going to be looked
17 upon as bad guys or good guys, no matter what. You're
18 talking about a community. We gather that it's a
19 community that is, you know, all the houses are right
20 there. So you could call this a subdivision. Problem
21 is there's basically no covenants to prohibit keeping
22 it from being there. All the common denominator in
23 each one of your -- let's see 1, 2, 3, 4, 5, 6 people
24 that spoke -- the common denominator is traffic and
25 roads. Maybe we need to talk to Holt or somebody out
26 there and get somebody to look at the roads on this, on
27 this right here. Because it sounds like to me there's
28 a problem with the roads and the access.

29 ALESIA HUNTER: It meets the
30 current average vehicle trips per day. They could go
31 up to 10 more lots in there.

32 HUBERT MCCLURE: And then my
33 question is -- the only two questions I have, and
34 that's for -- is it Mr. or Ms. DeRosa? Taylor can be
35 -- it's Mr.? You know, what type of house -- has this
36 house been built yet?

37 ALESIA HUNTER: It's --
38 Corban looked it up for us. It's approximately 1400
39 square feet.

40 HUBERT MCCLURE: Okay, it's
41 1400 square feet. It's a little above 30 by 30 or 40
42 by 40? You know, something like that. You know, is it
43 double -- is it one story or two story?

44 ALESIA HUNTER: One story.

45 HUBERT MCCLURE: One story.

46 Okay. How many bed -- does anybody know how many
47 bedrooms it's got in it?

48 ALESIA HUNTER: Three
49 bedrooms?

50 HUBERT MCCLURE: How many?

1 ALESIA HUNTER: Three
2 bedrooms.
3 HUBERT MCCLURE: Okay. You
4 had a question? You had a question? I'm going to let
5 y'all ask your questions.
6 TONY CIRELLI: Okay.
7 First, I want to ask staff, does this Pine Needle Drive
8 -- I didn't get out there to check on this one. But
9 does that come off of Hix Road. I think this is a
10 private road. If I -- my memory serves me right ---
11 ALESIA HUNTER: It's a
12 county road.
13 HUBERT MCCLURE: It was
14 adopted; right, into the county.
15 TIM CARTEE: It is a
16 county maintain road.
17 TONY CIRELLI: Jerry Meehan
18 developed this property, didn't he?
19 UNKNOWN MALE: Gareloch
20 Lane is a private road. Gareloch Lane (inaudible) our
21 development.
22 TONY CIRELLI: Okay.
23 Because I remember years ago approving something from
24 Jerry Meehan down there. And that's what led me to
25 think that this was a private road.
26 UNKNOWN MALE: Gareloch
27 Lane is a private road and it's labeled private road.
28 But the only access we have to that private road is
29 Pine Needle Circle (inaudible).
30 HUBERT MCCLURE: Again, it
31 sounds like something needs to be done with the county
32 there. I mean, we don't have anything to do there.
33 But it sounds like to me ---
34 **INAUDIBLE COMMENT FROM AUDIENCE**
35 HUBERT MCCLURE: Again, that
36 is something -- and I'm not -- understand, as I said
37 while ago, I'm having to put cameras on my barn, on my
38 hay barn. So, you know, that's just something that we
39 have to contend with. And I don't, I don't -- that's
40 why I would like to know if Mr. DeRosa, you know -- I
41 don't know his plans. I don't know what he's going to
42 do. But, you know, as far as traffic goes, we can't --
43 we can take in your concerns with the traffic, but I
44 mean, me as, me as the chairman, I tell you, this is --
45 I don't like these. I don't like these at all because
46 you've got -- I've got five or six people and how many
47 people did you have on the list? Eight people. So
48 again, we're talking about, you know, eight and five
49 that's ---
50 UNKNOWN FEMALE: We're all

1 here.

2 HUBERT MCCLURE: And you're
3 all here and so ---

4 **INAUDIBLE COMMENT FROM AUDIENCE**

5 RUSSELL BARTON: Is there any
6 access to the lake from this, private access? Or is
7 this just one private lot with no docks, no nothing
8 that belongs ---

9 **INAUDIBLE COMMENT FROM AUDIENCE**

10 HUBERT MCCLURE: And we don't
11 know whether this gentleman is planning to increase the
12 size of the structure.

13 ALESIA HUNTER: There's no
14 plans to ---

15 HUBERT MCCLURE: Nothing yet?

16 ALESIA HUNTER: That's

17 correct.

18 **INAUDIBLE COMMENT FROM AUDIENCE**

19 HUBERT MCCLURE: Yeah, well,
20 the emergency vehicle, that's a problem for -- that's
21 the problem I'm talking about. That needs to be
22 addressed with the county. As far as, you know, we
23 can't tell the future on who -- there could be two
24 people in there or three people in there that's, you
25 know, this, or you could have two or three people, we
26 can't -- we don't know that. And that's one of the
27 things that, you know, we can't answer as a board. You
28 know, that's -- it's almost like if you put a piece of
29 property on the market, you can't dictate who buys that
30 property. And we can't dictate who's going to be in
31 that house. He can, but ...

32 **INAUDIBLE COMMENT FROM AUDIENCE**

33 HUBERT MCCLURE: Well, there's
34 no -- he's not breaking any rules.

35 JOHN FARR: There's no
36 ordinance against it.

37 HUBERT MCCLURE: There's no
38 ordinance against it.

39 ALESIA HUNTER: It meets the
40 ---

41 **INAUDIBLE COMMENT FROM AUDIENCE**

42 ALESIA HUNTER: It meets the
43 requirements of the ordinance.

44 HUBERT MCCLURE: It meets the
45 requirements, and we're not telling a man what to do
46 with his property.

47 JOHN FARR: We don't want
48 to set a precedent.

49 **INAUDIBLE COMMENT FROM AUDIENCE**

50 HUBERT MCCLURE: No, I said

1 that we cannot tell the future on that. We don't know
 2 what's going to happen with that piece of property.
 3 Y'all could -- somebody could buy that -- somebody
 4 could rent that piece of property, and then they like
 5 it and buy it and then y'all become neighbors. We
 6 don't know what's going to happen with it. So we can't
 7 make a decision based on what y'all think might happen.

8 **INAUDIBLE COMMENT FROM AUDIENCE**

9 HUBERT MCCLURE: That is a --
 10 well, that's one of the gray areas that we have a
 11 problem with. Can you address that, please?

12 ALESIA HUNTER: Mr.
 13 Chairman, in R20 it does allow for this.

14 HUBERT MCCLURE: It does
 15 allow. Residential zoning does allow for bed and
 16 breakfast, or b&b, whatever it's called.

17 RUSSELL BARTON: Would you say
 18 it again, also, what you said about Council trying to
 19 take up this issue?

20 ALESIA HUNTER: Yes. What
 21 ---

22 HUBERT MCCLURE: But that's
 23 for the non ---

24 ALESIA HUNTER: That's for
 25 non-zoned areas, unzoned areas, not -- doesn't pertain
 26 to this. This is what's on the board for zoning --
 27 zoned properties.

28 JOHN FARR: I just have
 29 one comment about somebody made a comment about it was
 30 going to demean the neighborhood because of the traffic
 31 and the noise. And they bought a quiet place out on
 32 the lake and it's not that anymore. I want you to come
 33 to my house. It's right off the East-West Connector,
 34 which I opposed from the beginning. My property is
 35 adjacent to the East-West Connector. And you talking
 36 about noise, you come back and listen to motorcycles go
 37 up and down the highway by my house now.

38 So you cannot predict. You do the best you can.
 39 I bought four acres in a quiet place where I couldn't
 40 even see a house. And now look at it. So you can't
 41 judge what's going to happen down the road. It's --
 42 what's going to happen is going to happen. And ain't
 43 nothing you and I can do about it. And that's a fact.

44 **INAUDIBLE COMMENT FROM AUDIENCE**

45 JOHN FARR: No, not
 46 really. Not unless we want to break the ordinance.

47 HUBERT MCCLURE: We're either
 48 going to make y'all mad. Or we're going to make Mr.
 49 DeRosa mad. We don't have, you know, we don't have --
 50 I wish there was a way we could -- you know, there's no

1 bridge. There's no bridge here. It's either we're
2 going to make y'all mad and we're going to make Mr.
3 DeRosa mad.

4 ALESIA HUNTER: And then
5 legally you can ---

6 HUBERT MCCLURE: And legally,
7 I mean, I can't tell you what you can do with your
8 property as much as you can tell me what I can do with
9 mine. I mean, I don't want nobody telling me what I
10 can -- you know, what I can build on my property, what
11 I can do on my property. I don't think you want to
12 either. But I know you want to be professional to
13 where you don't want to do something. And in your
14 eyes, this is doing something. But I'm going to tell
15 you right now, this -- legally, he's not doing anything
16 illegal. He's not doing anything against the rules in
17 the physical dimension of the surrounding property.
18 He's doing something that y'all don't think is right.
19 That's what, that's what it boils down to. So ...

20 UNKNOWN MALE: It is outside
21 of the realm of a zoned residential property. That's
22 why he brought it to this board. He's doing something
23 not illegal, but something outside the bounds of
24 (inaudible).

25 HUBERT MCCLURE: Can you
26 address that, Alicia?

27 ALESIA HUNTER: That's
28 incorrect. It is a permitted use. He just has to come
29 to the board to advise the board of what he's doing.
30 And he does have to meet the requirements of 1500 feet
31 away from another bed and breakfast or Airbnb.

32 HUBERT MCCLURE: So he's not
33 doing anything illegal by county standards.

34 ALESIA HUNTER: No, he's not.

35 **INAUDIBLE COMMENT FROM AUDIENCE**

36 HUBERT MCCLURE: Well, we
37 already have voted on these because there are no
38 restrictions on some of these. As I said before,
39 there's two types. There's one that's in a zoned area,
40 and one in a non-zoned area. This one's in a zoned
41 area. So technically, you know, he's not doing
42 anything wrong.

43 JOHN FARR: If the
44 ordinance wasn't like it was, I'd vote with you. Okay,
45 because I wouldn't want it by me either. But the
46 ordinance is what it is, and we have to go by the
47 rules.

48 TONY CIRELLI: Unlike the
49 Planning Commission.

50 HUBERT MCCLURE: Okay, any

1 more questions for staff or the community? What else
2 does it -- what else does this have to go through? It
3 has to go through Building and Codes; right?

4 ALESIA HUNTER: Yes. Well,
5 they'll inspect to make sure that there's fire safety
6 standards inside there, as well.

7 HUBERT MCCLURE: Okay. All
8 right. What's the feeling of the board?

9 JOHN FARR: I move to
10 approve.

11 HUBERT MCCLURE: We have a
12 motion to approve. Do we have a second?

13 I'm going to go ahead and second it because I'm
14 going to put it to a vote. All those in favor of this
15 special exception going through show by lifted hand.
16 All those opposed? And it's opposed three to two.

17 Anything else from ---

18 JOHN FARR: What was the
19 decision?

20 HUBERT MCCLURE: Three to two
21 opposed.

22 Anything from staff?

23 ALESIA HUNTER: That's it, Mr.
24 Chair.

25 HUBERT MCCLURE: Anything from
26 the board?

27 ALESIA HUNTER: I think Tyanna
28 wants to do -- Tyanna, do you want to talk about the
29 continuing education?

30 HUBERT MCCLURE: Oh, yeah.
31 We're going to sign the letters for those that's
32 approved and everything. So if y'all want to stick
33 around in the lobby, or you want to stay, that's fine.
34 Go ahead, Tyanna. Wait a minute. Where's Henry?

35 TYANNA HOLMES: Henry is -- he's
36 been out this week.

37 HUBERT MCCLURE: Okay, he's
38 fired. Henry's fired.

39 TYANNA HOLMES: Since Henry
40 is out this week, the letters will be delayed. You
41 will probably get those next week.

42 HUBERT MCCLURE: We're going
43 to fire Henry.

44 JOHN FARR: So we told
45 them they can't ---

46 TYANNA HOLMES: So,
47 continuing education.

48 JOHN FARR: If he takes
49 it to Court, he'll win.

50 HUBERT MCCLURE: I know.

1 JOHN FARR: I mean, I
2 agree with these people. I wouldn't want it in my
3 house either. But we're supposed to go by the rules, I
4 think.

5 HUBERT MCCLURE: It's three to
6 two. So, I mean, if they want to take it to Court let
7 them take it to court. I'll be honest with you ---

8 TONY CIRELLI: We did the
9 right thing.

10 HUBERT MCCLURE: I didn't want
11 to vote on it ---

12 JOHN FARR: I didn't
13 either. But if there wasn't an ordinance ---

14 TYANNA HOLMES: Okay,
15 quickly, that way I can ---

16 HUBERT MCCLURE: Go ahead.
17 TYANNA HOLMES: So continuing
18 education. It's that time of year again only because
19 it's going to be October. So this gives everyone
20 enough time in advance to look at their calendars and
21 see what's happening. So we'll have continuing
22 education training in October. I'm proposing the date
23 for October 27. How does that date sound for everybody
24 at this moment?

25 JOHN FARR: I have no idea
26 that far away.

27 DEBBIE CHAPMAN: October 27?
28 TYANNA HOLMES: October 27th,
29 yes, ma'am. They're looking at their calendars.

30 TONY CIRELLI: Just a note
31 to staff, I'm going to have some surgery. Dr. Mills is
32 going to replace my leg.

33 HUBERT MCCLURE: It is on a
34 Friday?

35 TYANNA HOLMES: It is on a
36 Friday.

37 TONY CIRELLI: October 19th
38 is ---

39 JOHN FARR: Your leg or
40 your knee?

41 TONY CIRELLI: The knee.
42 HUBERT MCCLURE: I'm going to
43 put down county education. So if y'all could make it
44 virtual, that would be great.

45 TYANNA HOLMES: Oh, I don't
46 know. Well, we'll see. Maybe. Maybe. We might. No
47 promises.

48 HUBERT MCCLURE: I'm all
49 about virtual.

50 TYANNA HOLMES: Well, I was

1 thinking October 27. Does 11 a.m. work for everybody?
2 11:00 a.m.?

3 HUBERT MCCLURE: It's for
4 annual education so we know what we're doing. You
5 know, you sit for two hours and listen for how much ---

6 TYANNA HOLMES: You get some
7 lunch.

8 HUBERT MCCLURE: Is that
9 everything?

10 TYANNA HOLMES: Yeah, that's
11 everything.

12 TONY CIRELLI: If you've been
13 a planner so long or have the credentials, you don't
14 have to take the course.

15 HUBERT MCCLURE: Well, I
16 haven't, so I have to take it.

17 All right. Do we have a motion to adjourn?

18 JOHN FARR: So moved.

19 HUBERT MCCLURE: Do we have a
20 second?

21 TONY CIRELLI: I'll second.

22 HUBERT MCCLURE: All in favor?

23 All right.

24

25

MEETING ADJOURNED AT APPROXIMATELY 6:10 P.M.

Application for a Variance
Anderson County Planning Commission
County Council Chambers 2nd Floor-Historic Courthouse (DISTRICT #7)
Anderson, South Carolina
October 12, 2023
6:00 PM

Variance request to allow reduction of the side and rear setbacks from 50 feet to 25 feet.

Staff Report

Applicant: Michael Gowan

Owner of Property: Same

Property Location: Big Creek Road, Belton

Council District: Seven (7)

Tax Map Number (TMS #): 248-00-07-038

Property Description: 2.90 acre lot

Current Zoning: R-A

Land Use: Residential

Applicant's Request: Applicant is requesting a variance to reduce the side and rear setbacks from 50 feet to 25 feet to allow the single-family residence on each lot.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 48, Sect. 5:2.6. *Side yard*. The minimum width of a residential side yard shall be 50 feet, except that any side yard abutting on a street or highway shall not be less than 20 feet in width. Sect.5:2.7. *Rear yard*. The minimum depth of the rear yard shall be 50 feet.

Staff Recommendation:

- 1) The subdivided lots are non-conforming as it relates to the new setback requirements; but, meet the original R-A Setbacks of 25 feet.
- 2) All lots are over one (1) acre which will meet the R-A standards for large residential lots.
- 3) Applicant has demonstrated a hardship for said request.
- 4) There will be no adverse effects on adjacent properties if the variance is granted.
- 5) A Building Permit will be required from Building and Codes and a compliance letter from Development Standards to designate the side and rear setbacks to 25 feet.



Variance Application

Processing Fee: \$300.00

Please submit applications and processing fees simultaneously to avoid delay in processing. Applications can be submitted by email, or if supporting documents (reference page 3) is greater than 10 pages, applications should be mailed or brought in person.

For payment cash (in-person only), check (in-person or by mail), and cards (call to pay over phone) are accepted.

RECEIVED
8/21/23

Date Application Received

Application Status (Approved or Denied)

All variance applicants are required to go before the Anderson County Board of Zoning Appeals and must attend the live scheduled Board of Zoning appeals meeting when their request is to be heard. Applicants may be exempt from attending the scheduled meeting for the following reasons only: an unexpected illness or passing of oneself or a loved one or if an applicant is on active military duty or deployed.

Applicant's Information

Name: Michael Gowan

Mailing Address: 1127 Cherokee Rd Pelzer SC 29669

Telephone and Fax: 864-245-8360 E-Mail: Michaelraygowan@gmail.com

Property Owner's Information

(Only complete if Applicant and Property Owner are not the same)

Name: Same

Mailing Address: _____

Telephone and Fax: _____ Email: Michaelraygowan@gmail.com

Designated Agent Name (Representative of Property Owner): _____

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for a variance.

Michael Gowan
Owner's or Designated Agent Signature

Aug 21, 2023
Date

Project Information

Please Indicate Current Use of Property: Commercial or Residential

Property Location: Big Creek Rd Belton

Parcel Number(s)/TMS: 2480007038

County Council District: Anderson School District: Palmetto

Total Acreage: 2.90 Current Zoning: RA

Requested Variance: Request with 50ft setbacks AT 25ft
Please check to indicate if setback variance sign variance or minimum lot size variance .

Purpose of Variance: We would like approval to use the old setback requirements for the sides
The old setbacks on were 25 ft on the sides. Now that we purchased and divided it, it is 50 ft due to new requirements

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?

Yes: ___ No: ___ Date visited ROD or Date searched online. Attorney researched prior to purchase

Private Covenants or Deed Restrictions on the Property: Yes No

If you indicated no and covenants/deed restrictions are discovered after application submittal, the application will be removed from the agenda and any approvals granted by the Board of Zoning Appeals or Planning Commission will be null and void. If you indicated no, your signature is required.

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-11+5: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

For a variance to potentially be considered for approval by the Board of Zoning appeals the applicant must establish a hardship.

Hardship: A hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

The applicant hereby request a variance to the Board of Zoning Appeals for the following reasons:

What are the extraordinary and exceptional conditions pertaining to the particular piece of property:

The setbacks of the property originally allowed for 25 ft off each side. Once we purchased the property and had it resurveyed, the property took on new setbacks of 50 ft on each side that we were unaware of.

Conditions do not generally apply to other properties in vicinity, as shown by:

Reasons why property is prohibited or limited in its uses:

Application of the variance will not be of detriment to adjacent properties or to the public good and the character of the district will not be harmed by the granting of the variance for the following reasons:

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.)

Please attach an accurate, legible plot plan showing the dimensions and locations of structures and improvements of the property to this application.

For Office Use Only:

Application Received By: _____ Date Completed Application Received: _____

Application Fee Amount Paid: _____ Check Number: _____

Scheduled Board Hearing Date: _____ Land Use/Board of Zoning Appeals' Decision: _____

Variance Application Checklist

Anderson County Code of Ordinances Chapter 48 Zoning- Article 9.- Board of Zoning Appeals

Section 9:5.- Powers and Duties

Section 9:5.1 Review. The board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter.

Section 9:5.2 Variances. The board of zoning appeals may authorize upon written appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship or peculiar and exceptional practical difficulties.

Before action is taken on a request for a variance, the board shall hold one or more public hearings at which any party may appear in person, by agent, or attorney. The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the board of zoning appeals. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation to the board of zoning appeals.

Notice shall be given at least 15 days in advance of a public hearing. The owner of the property for which the variance is requested of their agent shall be notified by mail. Notice of hearings shall be made in a newspaper of general circulation, posted on the property for which a variance is requested, and posted at the Anderson County Square.

In addition, the planning commission staff shall send letters notifying current owners of record of all properties adjacent to and/or within 1,000 feet in any direction of the subject property and provide proof of such mailing.

A variance from the terms of this Ordinance may be granted by the Board upon a finding that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

The following checklist is to aid the applicant in providing the necessary materials for submittal.


To submit a Variance Application, you must provide the following to the Development Standards Office:

Application Submittal Requirements

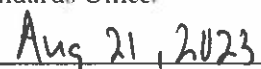
- *Completed and Signed Variance Application
- \$200 Processing Fee
- One (1) Accurate, Legible Plot Plan with Dimensions and Locations of Structures and Improvements of the Property
- Clear Statement of why the variance is being requested
- One (1) Copy of all Private Covenants and Deed Restrictions Related to the property, if applicable (Can be obtained from Anderson County Register of Deeds)
- Written statement from property owner granting permission to allow variance (only needed if applicant and property owner or not the same).

The Development Standards's Staff will recommend approval or denial to the Land Use/Board of Zoning Appeals at a scheduled Public Hearing. Applicants are notified of the date, time, and location of this meeting; and are encouraged to attend, in case questions arise. The Land Use/Board of Zoning Appeals will make the final decision.

As the applicant, I hereby confirm that the required information and supporting materials for this application are authentic and have been submitted to the Anderson County Development Standards Office.



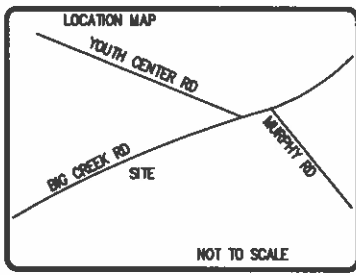
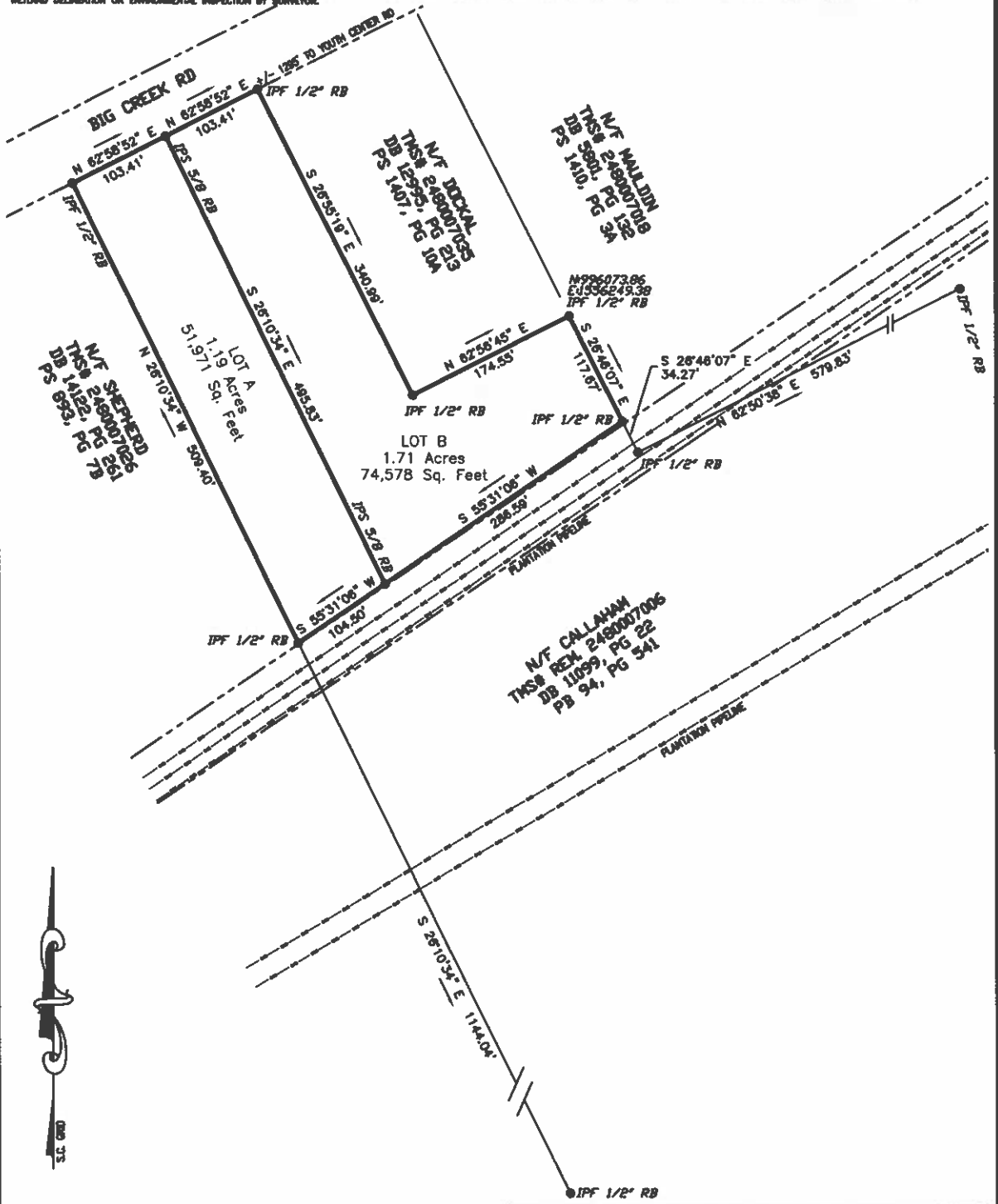
Applicant's Signature



Date

We purchased the property with hopes of dividing the 2.9 acres and building two beautiful homes. The setbacks of the property originally allowed for 25 ft off each side. Once we purchased the property and had it resurveyed, the property took on new setbacks of 50 ft on each side that we were unaware of. We would like to utilize the old setbacks for the property. Each lot is still at least 1 acre each.

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; URBANISM RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



LEGEND

CT GRIP TOP
 PO IRON PIN OLD
 PS IRON PIN SET
 — OHP — OVERHEAD POWER

OT OPEN TOP
 RB REBAR
 R/W RIGHT OF WAY
 — F — FENCE

REFERENCES:
 1.) DEED BOOK 11099, PAGE 22
 2.) PLAT BOOK 94, PAGE 541



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN

SURVEY FOR	
MICHAEL GOWAN	
PROPERTY ADDRESS: BIG CREEK RD, BELLEVILLE	COUNTY: ANDERSON, SOUTH CAROLINA
TAX MAP NO. 2480007038	SCALE: 1" = 100'
DATE: 07/30/2020	CREW: GD/MC
PROJECT NO. 2007084	

W. GLEN DALTON, PLS
LAND SURVEYING
 P.O. BOX 941, WILLIAMSTON, SC 29687
 PHONE: (864) 581-5324



2480002008

BIG CREEK RD

2480007018

2480007035

2480007038

NEW

2480007026

2480007006

2480007028

2480007034

2480007015



248007015

BIG CREEK RD

R-A
248007018

R-A
248007035

R-A
248007028

NEW

R-A
248007026

R-A
248007025

248007006

R-A

R-A
248007034

R-A
248007015

Application for a Special Exception
Anderson County Land Use Board of Zoning Appeals Meeting
County Council Chambers 2nd Floor-Historic Courthouse (DISTRICT #7)
Anderson, South Carolina
October 12, 2023
5:15 PM

Staff Report

Application for a **Special Exception** – To allow the expansion of an existing auto repair business in R-20 Zoning.

Applicant: Victor Alberson

Owner of Property: Same as above

Property Location: 104 Breazeale Dr., Williamston, SC

Council District: Seven (7)

Tax Map Number (TMS #): 221-00-01-003

Property Description: BREAZEALE DR 1.57 AC

Current Zoning: R-20

Land Use: Residential

Applicant Request: Applicant is requesting a Special Exception to allow the expansion existing auto repair business in R-20 Zoning.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 48, Section 5.3 other uses

Staff Recommendation:

- 1) The business was established prior to R-20 Zoning.
- 2) The business has remained in continuous operation.
- 3) The use will not adversely affect surrounding properties.
- 4) Applicant must meet all tax, fire and building code requirements, pertaining to the residential structure and obtain all necessary permits from Building and Codes and compliances from Development Standards



Special Exception Application

(For Zoned Areas Only)

Processing Fee: \$300

Please submit applications and processing fees simultaneously to avoid delay in processing

Applications can be submitted by email, or if supporting documents (reference page 3) is greater than 10 pages, applications should be mailed or brought in person.

For payment cash (in-person only), check (in-person or by mail), and cards (call to pay over phone) are accepted.

Date Application Received _____

Application Status (Approved or Denied) _____

All special exception applications are required to go before the Anderson County Board of Zoning Appeals. All applicants are strongly encouraged to attend the Board of Zoning Appeals public hearing in which their application is to be reviewed.

Deadlines for all special exception applications and supporting documents are due by the first business day of each month.

Applications and supporting documents that are submitted by the first of each month will go before the Board of Zoning Appeals the following month (example: deadline is July 1st, application and supporting documents are submitted by July 1st, request will go before the board in August). Those that do not submit applications and supporting documents before the first of each month, the request will automatically be delayed and will not go before the board until both the application and supporting documents are received (example: due date July 1st, application submitted July 2nd, request will not appear before the board until September) (Date for request to appear before the board is continuously extended (by month) until both applications and supporting materials are received).

Applicant's Information

Name: Victor Allan Alberson
Mailing Address: 106 McAlister Cr. Williamston, SC 29697
Telephone and Fax: (864) 314-9606 E-Mail: AlbersonVA81@gmail.com

Owner's Information

(If Different from Applicant)

Name: _____
Mailing Address: _____
Telephone and Fax: _____ E-Mail: _____

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for a special exception.

[Signature]
Owner's Signature

8/15/23
Date

Project Information

Property Location: 104 Breazeale Dr. Williamston, SC 29697

Parcel Number(s)/TMS: 2210001003

County Council District: 7 School District: 1

Total Acreage: 1.57 Current Zoning: R-20

Requested Special Exception: TO allow addition 30x50 to existing building, built

Purpose of Special Exception: in approximately 1992. TO allow the expansion of current building so that

I can continue my business at the same location I have. The expansion will allow me to keep up with the current growth

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online: 8/15/23

Private Covenants or Deed Restrictions on the Property: Yes No

If you indicated no and covenants/deed restrictions are discovered after application submittal, the application will be removed from the agenda and any approvals granted by the Board of Zoning Appeals will be null and void. If you indicated no, your signature is required. 

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application – pursuant to State Law (Section 6-29-1145: July 1, 2007) – determining existence of restrictive covenants. Copies may be obtain at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: _____

Please attach an accurate, legible plot plan showing the dimensions and locations of structures and improvements of the property to this application.

on Back Page.

For Office Use Only:

Application Received By: _____ Date Complete Application Received: _____

Application Fee Amount Paid: _____ Check Number: _____

Scheduled Board Hearing Date: _____

Land Use/Board of Zoning Appeals' Decision: _____

Special Exception Application Checklist

Anderson County Code of Ordinances Chapter 48 Zoning- Article 7.- Provisions for uses permitted by special exception

Section 7:1.- General Provisions

The board of zoning appeals may issue permits for those uses permitted by special exception which are in accordance with the provisions of this chapter and the specific conditions set forth below. The board shall determine that:

- A. The use meets all required conditions.
- B. The use is not detrimental to the public health or general welfare.
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services.
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

Anderson County Code of Ordinances Chapter 48 Zoning- Article 9.- Board of Zoning Appeals Section 9:5.-Powers and Duties

Section 9:5.1 Review. The board shall hear and decided appeals where it is alleged there is error in any order, requirements, decision, determination made by the zoning administrator in the enforcement of this chapter

Section 9:5.3 Uses permitted by special exception. The board of zoning appeals may hear and decide upon uses permitted by special exception specifically authorized by the terms of this chapter. A use permitted by special exception shall not be authorized by the board unless and until:

- A. A written application is submitted.
- B. Notice shall be given at least 15 days in advance of a public hearing in a newspaper of general circulation.
- C. The request has been referred to the appropriate zoning advisory group for review and report to the board of zoning appeals. The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the board of zoning appeals. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation.
- D. A public hearing shall be held.
- E. The board shall make findings.
- F. The board shall make written findings certifying compliance with the regulations governing the special use.


The following checklist is to aid the applicant in providing the necessary materials for submittal.

Application Submittal Requirements

- Completed and Signed Special Exception Application
- \$300 Processing Fee
- Site Plan or diagram of property for the proposed special exception
- Clear Statement of why the special exception is being requested
- Valid contact information on application
- Covenants and Deed Restrictions (Can be obtained from Anderson County Register of Deeds)

The Development Standards Staff will recommend approval or denial to the Board of Zoning Appeals at a scheduled Public Hearing . Applicants are notified of the date, time, and location of this meeting, and must attend in case questions arise. The Board of Zoning Appeals will make the final decision.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to Development Standards.

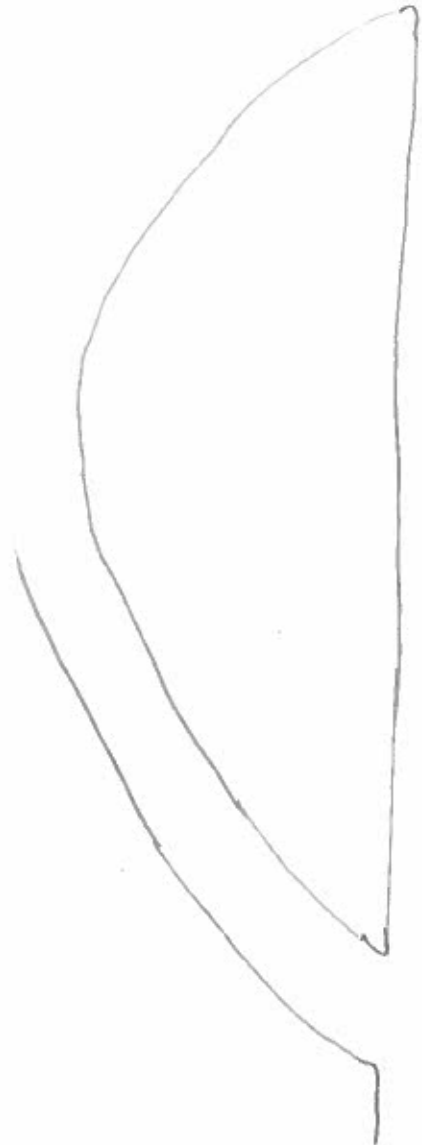

Applicant's Signature

8/15/23
Date

104 Breazeale D
Williamston SC 29697

existing
house

existing shop	proposed addition
------------------	----------------------



2211305032

2211304012

2211305033

2211305034

2211305035

2211305036

HILLCREST DR

2211304011

2211305037

2210001003

BREAZEN DR

2210001002

2210012012

2210012011





R-20

R-20 05033

2210001034 R-20

2210001035 R-20

2210001036 R-20

2210012012 R-20

2210012013 R-20

2210001037 R-20

2210001038 R-20

R-20

2210001092

2210012012

R-20